

Message Text

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ORIGIN ARA-14

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FM SECSTATE WASHDC

TO AMEMBASSY SAN JOSE IMMEDIATE

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FOR AMBASSADOR FROM DAS SHELTON

E.O. 11652: N/A

TAGS: EFIS, CVIS, CS

SUBJECT: COSTA RICAN TUNA VESSEL CREWMEN IN SAN DIEGO

1. AS EMBASSY MAY BE AWARE, PROBLEM OF COSTA RICAN CREWMEN ARRIVING IN SAN DIEGO ON US FISHING BOATS AND BEING REFUSED TRANSIT PRIVILEGES IS NOT NEW. THEY ARE DENIED ENTRY BY INS UNDER SECTION 101 (A) (15) (D) OF THE IMMIGRATION AND NATIONALITY ACT.

2. APPARENTLY IT IS POSSIBLE FOR INS TO WAIVE PASSPORTS AND VISAS FOR THEM UNDER SECTION 212 (D) (4) OF THE ACT, AND TO PAROLE THEM INTO THE US FOR THE PURPOSE OF DEPARTURE UNDER SECTION 212 (D) (5), BUT INS NORMALLY REFUSES EXCEPT IN EMERGENCY SUCH AS SERIOUS MEDICAL PROBLEM.

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3. THE INTENT OF THE LAW IS TO DISCOURAGE US FISHING BOAT OWNERS FROM HIRING NON-US CREWMEN. THIS HAS BEEN EXPLAINED BEFORE TO COSTA RICAN CONSUL IN SAN DIEGO, WITH RECOMMENDATION THAT GOCR BRING IT TO THE ATTENTION OF COSTA RICANS WHO CONTEMPLATE HIRING ABOARD US TUNA BOATS.

4. IN THIS CASE, DEPARTMENT CONTACTED INS TO URGE THEM

TO MAKE AN EXCEPTION FOR THE COSTA RICAN CREWMEN OF THE CITY OF LISBON. AS RATIONALE DEPARTMENT IS CITING THE STATUS OF TUNA NEGOTIATIONS BETWEEN OUR COUNTRIES. INS

INITIAL REACTION WAS NEGATIVE BUT DEPARTMENT IS CONTINUING TO PURSUE THE MATTER.

5. EMBASSY MAY PASS ABOVE TO FONMIN IF IT DESIRES. CHRISTOPHER

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